

ROAD TRAFFIC REGULATION ACT 1984
LANCASHIRE COUNTY COUNCIL
(BACK MOUNT STREET, BOTANY BAY ACCESS ROAD, GLAMIS DRIVE,
GRANGE DRIVE, MILLENNIUM WAY, UNITY PLACE AND VILLAGE WAY,
CHORLEY, CHORLEY BOROUGH) (PROHIBITION OF WAITING, LIMITED
WAITING, RESTRICTION OF WAITING AND PROHIBITION OF STOPPING ON
SCHOOL KEEP CLEAR MARKINGS) ORDER 2014

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1, 2 and 4 of the Road Traffic Regulation Act 1984, as amended ("the Act") and of all other enabling powers, after consultation with the Chief Officer of Police hereby make the following Order: -

1. Definitions and Interpretations

For all the purposes of this Order the terms described in this Article shall have the meanings specified:

- a) **"Disabled person's vehicle"** means a vehicle displaying a disabled person's badge in the circumstances prescribed in Regulations 13, 14, 15 or 16 of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.
- b) **"disabled person's badge"** means the a badge which
 - i) was issued or has effect as if issued to a disabled person or institution under the Disabled Persons (Badges for Motor Vehicles)(England) Regulations 2000 or under regulations having effect in Scotland or Wales under Section 21 of the Chronically Sick and Disabled Persons Act 1970; and
 - ii) has not ceased to be in force
- c) **"parking disc"** means a device which -
 - i) is 125 millimetres square and coloured blue, if issued on or after 1st April, 2000 or orange if issued before that date;
 - ii) has been issued by a local authority and has not ceased to be valid; and
 - iii) is capable of showing the quarter hour period during which a period of waiting has begun.
- d) A vehicle displays a disabled person's badge or parking disc in the **"relevant position"** if –
 - i) the badge is exhibited on the dashboard or fascia of the vehicle, or
 - ii) where the vehicle is not fitted with a dashboard or fascia the badge is exhibited in a conspicuous position on the vehicle, so that the front of the badge is clearly legible from the outside of the vehicle.
- e) **"vehicle"** means a motor vehicle, a passenger vehicle, a dual-purpose vehicle, a goods vehicle, a motorcycle or an invalid carriage or any other vehicle of any description whether drawn or propelled along a road by animal or mechanical power;

- f) **"Civil Enforcement Officer"** means a person authorised by or on behalf of Lancashire County Council in accordance with Section 76 of the Traffic Management Act 2004;
- g) **"Centre Line"** means the centre line of a highway as shown on Ordnance Survey graphical information systems at the time that the Order was prepared
- h) **"Loading" and "Unloading"** means the continuous transference from (or to) a vehicle to (or from) premises adjacent to where the vehicle is parked of heavy or unmanageable Goods that are not designed to be carried by hand other than over a very short distance.
- i) **"Parking Place"** Means a place pursuant to Sections 1, 2, 4, 32 and 45 of the "1984 Act" where vehicles, or vehicles of a specified class may wait, and in respect of which a charge may be paid in connection with its use.
- j) **"School Keep Clear"** Part of a carriageway outside a School as described in Schedule 3 to this order where vehicles should not stop, and indicated by a road marking approved by the DFT.

2. Prohibition of Waiting

Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, or a civil enforcement officer, cause or permit any vehicle to wait at any time, on any day, in the lengths of roads set out in Schedule 1 to this Order.

3. Limited Waiting

Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, or a civil enforcement officer, cause or permit any vehicle to wait for more than 1 hour with no return within 1 hour from Monday to Saturday (inclusively) from 08:00 until 18:00 in the length of road set out in Schedule 2 to this Order.

4. Prohibition of Stopping on School Keep Clear Markings

Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, or a Civil Enforcement Officer, cause or permit any vehicle, to stop or wait from Monday to Friday (inclusively), from 08:00 until 18:00 in the lengths of roads in set out in Schedule 3 to this Order

5. General Exemptions

Nothing in Articles 2, 3 or 4 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred to therein for so long as may be necessary to enable :-

- a) the vehicle, if it cannot conveniently be used for such purpose in any other road to be used in connection with any of the following:-
 - i) building, industrial or demolition operations;

- ii) the removal of any obstruction to traffic;
- iii) the maintenance, improvement or reconstruction of the said length of roads;
- iv) the laying, erection, alteration or repair in or in land adjacent to the said length of road of any sewer or of any main, pipe or apparatus or the exercise of any other statutory power or duty for the maintenance and supply of gas, water or electricity or of any telecommunications system as defined in Section 4 of the Telecommunications Act 1984;
- b) the vehicle to be used for the purposes of a local authority in pursuance of statutory powers or duties if it cannot conveniently be used for such purpose in any other road;
- c) the vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties;

6. Additional Exemptions (1)

Nothing in Articles 2, 3 or 4 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred to therein when the person in control of the vehicle

- a) is required by law to stop;
- b) is obliged to stop in order to avoid an accident; or
- c) is prevented from proceeding along the road due to circumstances beyond his/her control.

7. Additional Exemptions (2)

Nothing in Articles 2 or 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred to therein for so long as may be necessary to enable :-

- a) a person to board or alight from the vehicle;
- b) goods to be loaded on to or unloaded from the vehicle;

8. Exemption for disabled person's vehicle

- (a) Nothing in Article 2 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred to therein for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same lengths of road on the same day) if the vehicle is a disabled person's vehicle which displays in the relevant position both a disabled person's badge and a parking disc marked to show the quarter hour period during which the period of waiting began.
- (b) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in the length of roads referred to therein if the vehicle is a vehicle which displays in the relevant position both a disabled person's badge and a parking disc marked to show the quarter hour period during which the period of waiting began.

9. Manner of standing in a Parking Place

- a) The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in a position in the parking place and shall not start the engine except when about to change the position of the vehicle in or, or depart from, the parking place.
- b) Every vehicle left in a parking place in accordance with the foregoing provisions of this Order shall be left so that every part of the vehicle is within the limits of the parking place.
- c) A driver of a vehicle shall not use a parking place so as unreasonably to prevent access to any premises adjoining a road or the use of a road by other persons or so as to be a nuisance.

10. Alteration of position of a vehicle in a Parking Place

Where any vehicle is left standing in a parking place in contravention of the provisions of Article 9 of this Order, a police constable in uniform or a civil enforcement officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

11. Removal of a Vehicle from a Parking Place

Where a police constable in uniform or a civil enforcement officer is of the opinion that any of the provisions contained in Article 9 of this Order have been contravened or not complied with in respect of a vehicle left in a parking place, he/she may remove or cause to be removed the vehicle from the said parking place, and where it is so removed, shall provide for the safe custody of the said vehicle.

12. Movement of a Vehicle in a Parking Place in an Emergency

- a) A police constable in uniform or a civil enforcement officer may in case of emergency move or cause to be moved any vehicle left in a Parking Place to any place he thinks fit and shall provide for the safe custody of the vehicle.
- b) A person causing or permitting a vehicle to wait in a Parking Place by virtue of the provisions of Articles 5 or 6 of this Order shall take all such steps as are necessary to ensure that in the case of a Parking Place it shall stand in accordance with Article 9 so that every part of the vehicle is within the limits of the Parking Place.

13. Power to suspend use of a parking place

- a) The Council's duly authorised officer may suspend the use of a Parking Place or any part thereof whenever he/she considers such suspensions reasonably necessary and make such charge for the administration of this service, as may from time to time be determined by the Council.
- b) A police constable in uniform may suspend for not longer than 7 days the use of a Parking Place or any part thereof whenever he/she considers such suspension reasonably necessary for the purpose of mitigating congestion or obstruction of

- traffic or a danger to or from traffic in consequence of extraordinary circumstances.
- c) Any persons suspending the use of a Parking Place or any part thereof in accordance with the provisions of paragraph a) or b) of this Article shall thereupon place or cause to be placed in or adjacent to any part of that Parking Place the use of which is suspended, a Traffic Sign or cone indicating that waiting by vehicles is prohibited, as specified by Schedule 12 Part II of the Traffic Signs Regulations and General Directions 2002.
- d) No person shall cause or permit a vehicle to be left in any part of a Parking Place during such period when a Traffic Sign or cone is placed in or adjacent to that part of the Parking Place pursuant to paragraph c) of this Article provided that this paragraph shall not apply to a vehicle:
 - i) being used by the respective Fire or Police Authority or Ambulance Health Trust to deal with an emergency; or
 - ii) left in such Parking Place with the permission of the person suspending the use of the Parking Place.

14. Restriction of use of a vehicle in a parking place

While any vehicle is in a parking place no person shall use the said vehicle in connection with the sale of any article to any person in or near the parking place or in connection with the selling of or offering for sale of his/her skills or services.

15. Miscellaneous

The prohibition imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any regulations made, or having effect as if made, under the Act or by or under any other enactment.

16. Effect of Contravention

Failure by a person to comply with any prohibition or restriction contained within this order or any subsequent orders shall constitute a contravention of the same and shall result in the issue by Lancashire County Council and/or its Agents of a Penalty Charge Notice which shall be payable by such persons in accordance with the legislation.

17. Commencement of Order

This Order shall come into force on the 17th March 2014 and may be cited as the "Lancashire County Council (Back Mount Street, Botany Bay Access Road, Glamis Drive, Grange Drive, Millennium Way, Unity Way and Village Way, Chorley, Chorley Borough) (Prohibition of Waiting, Limited Waiting, Restriction of Waiting and Prohibition of Stopping on School Keep Clear Markings) Order 2014"

Dated this 5th day of March 2014.

THE COMMON SEAL of the
Lancashire County
Council was hereunto affixed
pursuant to the
Scheme of Delegation to Chief
Officers

Authorised Signatory



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Schedule 1 – Prohibition of Waiting

- a) Village Way, the west side, from a point 16 metres south of the centre line of Unity Place for a distance of 65 metres in a northerly direction.
- b) Unity Place, the south side, from the centre line of Village Way for a distance of 32 metres in a westerly direction.
- c) Unity Place, the north side, from the centre line of Village Way for a distance of 13 metres in a westerly direction.
- d) Access to Botany Bay, both sides, from its junction with the A674 Millennium Way roundabout for a distance of 137 metres in a southerly direction, for the full length of the adopted limit of the road.
- e) Millennium Way, both sides, from a point 35 metres north east of the junction with the M61 roundabout for a distance of 385 metres in a north easterly direction.
- f) Grange Drive, both sides, from the centre line of Wigan Road the A49 for a distance of 47 metres in an easterly direction.
- g) Glamis Drive, both sides, from its junction with Southport Road for a distance of 94 metres in a northerly and then easterly direction.
- h) Back Mount Street, the south side, from the centre line of the central reservation of the A581 Market Street/Park Road for a distance of 22.5 metres in a westerly direction.

Schedule 2 – Limited Waiting

Back Mount Street, the south side, from a point 22.5 metres west of the centre line of the central reservation of the A581 Park Road/ Market Street for a distance of 12 metres in a westerly direction.

Schedule 3 – Prohibition of Stopping on School Keep Clear Markings

- a) Glamis Drive, the east side, from a point 24 metres north east of the centre line of Southport Road for a distance of 36 metres in a north easterly direction.
- b) Unity Place, the south side, from a point 32 metres south west of the centre line of Village Way for a distance of 43.56 metres in a westerly direction.

